

I hereby certify that this correspondence is being electronically transmitted via EFS to the United States Patent and Trademark Office on the date shown below:

December 22, 2008

Frank C. Eisenschenk

Frank C. Eisenschenk, Ph.D., Patent Attorney

COMMUNICATION REGARDING  
PATENT TERM ADJUSTMENT  
Examining Group 1635  
Patent No. 7,452,987  
Docket No. ST.101XT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Kimberly Chong  
Art Unit : 1635  
Applicants : Jörg Kaufmann, Klaus Giese and Anke Klippel-Giese  
Patent No. : 7,452,987  
Issued : November 18, 2008  
Serial No. : 10/633,630  
Filed : August 5, 2003  
For : INTERFERING RNA MOLECULES

Mail Stop Patent Ext.  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

COMMUNICATION REGARDING PATENT TERM ADJUSTMENT

Sir:

Applicants have received the above-referenced granted patent. The Patent Term Adjustment indicated on the cover page of the patent is 107 days. Applicants respectfully assert that this patent is not entitled to any days of Patent Term Adjustment.

The PAIR record indicates that an adjustment of 229 days was calculated upon grant of the patent based upon prosecution of longer than 3 years. However, applicants filed a Request for Continued Examination on September 7, 2007. Pursuant to 37 CFR 1.703(b)(1), the filing of the RCE constituted an applicant delay, which should have effectively negated any accumulated Patent Term Adjustment prior to that date.

Applicants respectfully request that the PAIR record be reviewed and corrected to ensure that the granted patent will indicate the correct Patent Term Adjustment.

Applicants do not believe there should be a fee associated with this Communication. But, the Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 that may be required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank C. Eisenschenk", with a long, sweeping horizontal stroke at the end.

Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: P.O. Box 142950  
Gainesville, FL 32614-2950

FCE/gld